

Attorney's Docket No. HTC-003

DECLARATION AND POWER OF ATTORNEY

As the below named inventor, I hereby declare that:

The residence, mailing address and citizenship are stated below next to my name.

I believe that I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled "METHOD FOR SURGICALLY JOINING A VENTRICULAR ASSIST DEVICE TO THE CARDIOVASCULAR SYSTEM OF A LIVING SUBJECT USING A PIERCING INTRODUCER ASSEMBLY", the Specification of which:

XXXX is attached hereto; or
____ was filed on _____ as United States Application
Serial No. _____; and
____ was filed on _____ as PCT International Application
No. _____.

I hereby state that I have received and understand the contents of the above-identified Specification, including the claims, as amended by any amendment specially referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in 35 U.S.C. 1.56, including material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application, if applicable.

____ I hereby claim foreign priority benefits under Title 35, United States Code, Sections 119 (a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

	Priority claimed
.....NONE..... (Number) (Country) (Day/month/year/filed)	<input type="checkbox"/> Yes <input type="checkbox"/> No

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I hereby claim the benefit under 35 U.S.C. 119(e) of the United States
Provisional Patent Application(s) listed below:

-----None-----

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XXXX I hereby claim the benefit under 35 U.S.C. 120 of any United States
application(s), or 365(c) of any PCT international application designating the
United States of America, listed below and, insofar as the subject matter of
each the claims of this application is not disclosed in the prior United States
or PCT international application(s) in the manner provided by the first
paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information
which is material to patentability as defined 37 C.F.R. 156 which occurred
between the filing date of the prior application(s) and the national or PCT
international filing date of this application:

This application is a Continuation-In-Part of U.S. Patent Application
Serial No. 10/748,036 filed December 29, 2003, now pending; which is a
Continuation of U.S. Patent Application Serial No. 09/713,589 filed
November 15, 2000, now U.S. Patent No. 6,669,708 issued December 30,
2003.

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POWER OF ATTORNEY: As a named inventor, I hereby appoint the
following attorney to prosecute this application and transact all business in
the Patent and Trademark Office connected therewith; and, in addition, to
act as Agent on my behalf before the competent International Authorities and
before the National Authorities for any designated countries in connection
with any and all international applications filed or to be filed by the
undersigned.

David Prashker
Registration Number 29,693

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SEND CORRESPONDENCE TO:

David Prashker, P.C.
P.O. Box 5387
Magnolia, Massachusetts 01930

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DIRECT INQUIRIES TO THE ATTENTION OF: David Prashker, Esq.

DIRECT TELEPHONE CALLS TO: (978) 525-3794

DIRECT FACSIMILE TRANSMISSIONS TO: (978) 525-3791

DIRECT E-MAIL TRANSMISSIONS TO: bearbonz@earthlink.net

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full Name of sole inventor: Ducksoo Kim

Inventor's Signature: _____ Date: _____

Residence: Dover, Massachusetts

Citizenship: U.S.

Mailing Address: 9 Cedarhill Road, Dover, MA 02030

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Ducksoo Kim
Serial No. : yet to be provided
Filed : herewith
For : "METHOD FOR SURGICALLY JOINING A
VENTRICULAR ASSIS DEVICE TO THE
CARDIOVASCULAR SYSTEM OF A LIVING SUBJECT
USING A PIERCING INTRODUCER ASSEMBLY"
Attorney's Docket No : HTC-003

WRITTEN ASSERTION OF SMALL ENTITY STATUS
PURSUANT TO 37 C.F.R. 1.27

Commissioner for Patents
P.O. Box 1450
Mail Stop: Patent Application
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to the provisions of 37 C.F.R. 1.27 as amended and effective September 8, 2000 and in accordance with Section 1.27(c) in particular, the above-identified applicants hereby formally present and file their written assertion of entitlement to Small Entity Status.

Respectfully submitted,

DUCKSOO KIM

Date: Feb. 25, 2004
P.O. Box 5387
Magnolia, Massachusetts 01930
Tel.: (978) 525-3794

By:


David Prashker
Reg. No. 29,693
Attorney for applicant